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**TERMINAL DISCLAIMER TO OBLVIA A PROVISIONAL DOUBLE PATENTING  
REJECTION OVER A PENDING "REFERENCE" APPLICATION**

Docket Number (Optional)  
2000-0432A

In re Application of: Nicholas J. Frigo, et al.

Application No.: 09/902,944

Filed: July 12, 2001

For: METHOD FOR OPERATING TRANSPARETN NODE FOR WDM SHARED "VIRTUAL RING" NETWORKS

The owner\*, AT&T Corp., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending **reference Application Number 09/902,806**, filed on July 12, 2001, as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said **reference** application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending **reference** application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the **reference** application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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2.  The undersigned is an attorney or agent of record. Reg. No. 51,069

Signature

May 25, 2005

Date

David W. Hering  
Typed or printed name

(973) 533-1616  
Telephone Number

Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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